

### REMARKS

No claims are amended or canceled. Claims 34 - 41 are added; as a result, claims 10-41 are now pending in this application.

#### §103 Rejection of the Claims

Claims 10-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art (herein "AAPA") in view of Grubisich et al. (U.S. Patent No. 5,698,459, herein "Grubisich"). Applicant respectfully traverses.

The Office Action refers to Fig. 2 of the present application for AAPA. The Office Action states, in part,

a second implant region in the middle of the plug shown as N+ COLL TAP, in collector region, about the same level from the surface of the substrate as the first implant; and an implant area, shown as LOCAL IMPLANT, of collector region, vertically adjacent the base region, the implant area having an effective surface area greater than the surface area of the emitter and less than the surface area of the base region.

First, applicant points to the fact that Fig. 2 of the present application does not show a second implant region in the middle of the plug. Fig. 2 of the present application only shows a plug labeled N+ COLL TAP.

Second, applicant points to the fact that Fig. 2 of the present application does not show the implant area labeled LOCAL IMPLANT as recited in the claims. Fig. 2 of the present application only shows a LOCAL IMPLANT that has an area the same size as the emitter.

Claim 10 recites, in part, "the implant area having an effective surface area greater than the surface area of the emitter and less than the surface area of the base region." Applicant can not find this feature in either AAPA or Grubisich. As all of the features of claim 10 are not found in AAPA or Grubisich, applicant requests that claim 10 and claims 11-12 be allowed.

Applicant submits that claims 13-33 are allowable for at least substantially similar reasons as stated above with regard to claim 10.

Claim 17 further distinguishes over the applied references, AAPA and Grubisich, in that it recites a second implant region formed in the collector region. Applicant can not find this feature in the applied prior art. Reconsideration and allowance of claim 17 is requested.

**Telephone Interview Request**

The undersigned requests a telephone interview if the rejections in the prior Office Action are not withdrawn. The undersigned's telephone number is (612) 349-9587.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

MICHAEL P. VIOLETTE

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 349-9587

Date

14 Nov 2002

By

Timothy B. Clise

Reg. No. 40,957

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 14 day of November, 2002.

Name

Tina Kohut

Signature

Z. H. L.